

**SANTA YNEZ RIVER WATER CONSERVATION DISTRICT
IMPROVEMENT DISTRICT NO. 1
OCTOBER 19, 2021 REGULAR MEETING MINUTES**

A Regular Meeting of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1, was held at 3:00 p.m. on **Tuesday, October 19, 2021** via in-person and teleconference.

Trustees Present: Jeff Clay Jeff Holzer
 Brad Joos Lori Parker
 Michael Burchardi

Trustees Absent: None

Others Present: Paeter Garcia Mary Martone
 Gary Kvistad Eric Tambini
 Karen King

1. CALL TO ORDER AND ROLL CALL:

President Clay called the meeting to order at 3:02 p.m., he stated this was a Regular Meeting of the Board of Trustees. Ms. Martone conducted roll call and reported that all members of the Board were present.

2. PLEDGE OF ALLEGIANCE:

President Clay led the Pledge of Allegiance.

3. REPORT BY THE SECRETARY TO THE BOARD REGARDING COMPLIANCE WITH THE REQUIREMENTS FOR POSTING OF THE NOTICE AND AGENDA:

Ms. Martone presented the affidavit of posting of the Agenda, along with a true copy of the Agenda for this meeting. She reported that the Agenda was posted in accordance with the California Government Code commencing at Section 54950 and pursuant to District Resolution No. 340. The affidavit was filed as evidence of the posting of the Agenda items contained therein.

4. CONSIDERATION OF RESOLUTION NO. 808 - A Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement District No.1 Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361

Mr. Garcia explained that beginning in March 2020, Governor Newsom issued a series of Executive Orders in response to the COVID-19 pandemic, including N-25-20, N-29-20, and N-35-20, which suspended certain requirements of the Brown Act to allow public agencies to conduct open public meetings remotely either through teleconferencing or via video/teleconference participation.

Mr. Garcia reported that the Executive Orders were set to expire on September 30, 2021 at which time local agencies would have been required to comply with all of the usual Brown Act requirements as they existed prior to the issuance of the Executive Orders. He explained that the Governor recently signed Assembly Bill 361 (AB 361) into law which extends the ability of public agencies to conduct remote public meetings via video/teleconference during the COVID-19 pandemic, provided certain conditions exist and findings are made. Mr. Garcia stated that remote meetings can be held provided that a state of emergency is still in effect, and that state and/or local officials have imposed or recommended measures to promote social distancing, or the local agency determines that meeting in person would present imminent risk to public health and

safety. In addition to these specific requirements, to continue meeting remotely under the provisions of AB 361, a local agency must review and reconsider its determinations at least every 30 days.

Following his presentation of AB 361, Mr. Garcia presented Resolution No. 808 for Board consideration.

No public comment was provided.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, to adopt Resolution No. 808, a Resolution of the Board of Trustees of the Santa Ynez River Water Conservation District, Improvement No.1. Authorizing Remote Teleconference Meetings Under the Ralph M. Brown Act in Accordance with AB 361.

The Resolution was adopted and carried by the following 5-0-0 roll call vote:

AYES, Trustees:	Michael Burchardi Jeff Clay Jeff Holzer Brad Joos Lori Parker
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NOES, Trustees:	None
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ABSTAIN, Trustees:	None
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ABSENT, Trustees:	None
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5. **ADDITIONS OR CORRECTIONS, IF ANY, TO THE AGENDA:**

Mr. Garcia stated there were no additions or corrections to the Agenda.

6. **PUBLIC COMMENT:**

President Clay welcomed any members of the public participating telephonically and offered time for members of the public to speak and address the Board on matters not on the Agenda. Mr. Garcia reported that no written comments were submitted to the District for the meeting.

There was no public comment.

7. **CORONAVIRUS (COVID-19) UPDATE:**

A. General Manager's Report

Mr. Garcia reported on current information related to the COVID-19 pandemic and the District's actions. He noted that the Santa Barbara County Public Health Department issued Health Officer Order No. 2021-10.5 which went into effect at 5:00 p.m. on October 5, 2021. He explained that the Health Order extends the requirement for the use of face coverings indoors, regardless of vaccination status, through November 4, 2021 or until the Order is extended, rescinded, or superseded. Mr. Garcia also reviewed the Santa Barbara County Public Health Department's AB 361 Social Distance Recommendation issued on September 28, 2021, which supports the findings made under District Resolution No. 808.

8. **CONSIDERATION OF THE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 21, 2021:**

The Regular Meeting Minutes from September 21, 2021 were presented for consideration.

President Clay asked if there were any changes or additions to the Regular Meeting Minutes of September 21, 2021. No changes or additions were requested.

It was **MOVED** by Trustee Parker, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the September 21, 2021 Minutes as presented.

9. CONSENT AGENDA:

The Consent Agenda Report was provided in the Board packet.

Mr. Garcia reviewed the Consent Agenda materials for the month of October.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote to approve the Consent Agenda.

10. MANAGER REPORTS - STATUS, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:

A. DISTRICT ADMINISTRATION

1. Financial Report on Administrative Matters

a) Presentation of Monthly Financial Statements – Revenues and Expenses

The monthly financial statements were included in the handout materials and emailed to the Board members attending the meeting via phone conference. Ms. Martone announced that the reports were posted on the District's website in the Board packet materials for any members of the public wishing to follow along or receive a copy.

Ms. Martone reviewed the Statement of Revenues and Expenses for the month of September. She highlighted various line-items related to revenue and expense transactions that occurred during the month. Ms. Martone reported that the District revenues exceeded the expenses by \$389,607.88 for the month of September.

Following the presentation of District financials, Trustee Joos requested the inclusion of an additional column that would show expenditures to date in comparison to adopted budget amounts. Discussion ensued and staff indicated they would research the District's accounting software for the ability to customize the financial reporting to provide the requested information for Board consideration at the next meeting.

b) Approval of Accounts Payable

Ms. Martone reported that the Board was provided the Warrant List for September 22, 2021 through October 19, 2021 in the handout materials and emailed to the Board members attending the meeting via phone conference. Ms. Martone announced that the Warrant List also was posted on the District's website in the Board packet materials for any members of the public wishing to follow along or receive a copy.

The Board reviewed the Warrant List which covered warrants 24076 through 24134 in the amount of \$656,450.97.

It was **MOVED** by Trustee Joos, seconded by Trustee Burchardi, and carried by a 5-0-0 roll call vote, to approve the Warrant List for September 22, 2021 through October 19, 2021.

2. Purchase of Fleet Vehicle

a) Fleet Vehicle Bid Rejection and Award

The Board packet included bid results for the purchase of one new fleet vehicle.

Mr. Garcia reported that as part of the September 2021 Board meeting, the Board accepted and awarded a bid to Perry Ford of San Luis Obispo as the lowest responsive

and responsible bidder for one new Ford F250 regular cab 4wd with a service body and lift-gate. He explained that when the District contacted Perry Ford to inform them of the bid award, they respectfully declined to honor their bid based upon the rising cost of materials associated with the truck utility body as specified in the Request for Bids. Mr. Garcia reported that staff contacted several other dealerships in the order of lowest bid amounts to inquire if they would be able to honor their original bids. He noted that Mullahey Ford of Arroyo Grande confirmed that they would be able to honor their original bid in the amount of \$46,667.56. Mr. Garcia recommended rejecting the prior bid award to Perry Ford and accepting and awarding the bid to Mullahey Ford in the amount of \$46,667.56.

Trustee Joos **MOVED** to reject the bids from Perry Ford, Jim Vreeland Ford, and Ford of Ventura, and accept and award the bid to Mullahey Ford in the amount of \$46,667.56 for the purchase of one Ford F250 Regular Cab 4wd truck with a service body and lift gate as set forth in the District's Request for Bids. The motion was seconded by Trustee Parker and carried by a 5-0-0 roll call vote.

11. REPORT, DISCUSSION, AND POSSIBLE BOARD ACTION ON THE FOLLOWING SUBJECTS:

A. UPDATE REGARDING STATEWIDE DROUGHT CONDITIONS

The Board packet included information related to the ongoing statewide drought conditions.

Mr. Garcia reported on the Board packet materials. He discussed the major reservoir conditions within California and noted that several areas remain at all time historic low levels. He also referenced the notice of a State Water Resources Control Board meeting on October 19, 2021 which he attended via teleconference. Mr. Garcia reported on the State Board's discussion with regard to current statewide drought conditions.

B. CACHUMA PROJECT - ANNUAL ALLOCATION REQUEST

1. Update Regarding Cachuma Member Units Allocation Request for Water Year 2021-2022
The Board packet included various correspondence relating to the Cachuma Project Annual allocation.

Mr. Garcia reported that the Cachuma Member Units submitted a joint letter dated July 1, 2021 requesting a Cachuma Project allocation for Water Year 2021-2022. He stated that the Santa Barbara County Water Agency (Water Agency) submitted the allocation request to the United States Bureau of Reclamation (USBR) on behalf of the Cachuma Member Units along with a Water Agency recommendation that contradicted the Cachuma Member Units' allocation request. Mr. Garcia reviewed the correspondence included in the Board packet. He reported that a teleconference meeting was held on September 21st among representatives from USBR, the Cachuma Member Units, COMB, and the Water Agency to discuss the pending allocation for Water Year 2021-2022 and related issues. Mr. Garcia stated that following the meeting, by letter dated September 24, 2021, USBR issued a 70% allocation decision for Water Year 2021-2022 (beginning on October 1st), which equates to 18,000 acre-feet. He stated that ID No.1's 10.31% share of the 70% allocation amounts to 1,855 acre-feet.

C. SUSTAINABLE GROUNDWATER MANAGEMENT ACT

1. Eastern Management Area Update
The Board packet included various materials relating to the Eastern Management Area Groundwater Sustainability Agency (GSA).

Mr. Garcia reviewed the Board packet materials related to SGMA. He reported that the Draft Groundwater Sustainability Plan (GSP) for the Eastern Management Area (EMA) was released for public review on September 8th and that the public comment period closes October 24, 2021. Mr. Garcia encouraged all Trustees and members of the public to review the electronic draft version of the EMA GSP that is posted on the SGMA website. Mr. Garcia reported on the topics discussed at the Special Meeting of the EMA Citizens Advisory Group held on October 11, 2021 and stated that the next Regular Meeting of the EMA GSA is scheduled for October 28, 2021. He stated that the EMA GSA will review and consider adoption of the final EMA GSP at its December 2021 or January 2022 meeting, prior to submitting the EMA GSP to the Department of Water Resources in January 2022.

12. REPORTS BY THE BOARD MEMBERS OR STAFF, QUESTIONS OF STAFF, STATUS REPORTS, ANNOUNCEMENTS, COMMITTEE REPORTS, OBSERVATIONS AND OTHER MATTERS AND/OR COMMUNICATIONS NOT REQUIRING BOARD ACTION:

The Board packet included a Public Meeting Notice for the Los Olivos Community Services District Board of Directors meeting of October 13, 2021 and the Family Farm Alliance Monthly Briefing for the month of October 2021.

Mr. Garcia reported that the Office Administrator position has been filled with a start date of October 25, 2021.

13. CORRESPONDENCE: GENERAL MANAGER RECOMMENDS FILING OF VARIOUS ITEMS:
The Correspondence list was received by the Board

14. REQUESTS FOR ITEMS TO BE INCLUDED ON THE NEXT REGULAR MEETING AGENDA:
There were no requests from the Board.

15. NEXT MEETING OF THE BOARD OF TRUSTEES:
President Clay stated the next Regular Meeting of the Board of Trustees is scheduled for November 16, 2021 at 3:00 p.m.

16. CLOSED SESSION:
The Board adjourned to Closed Session at 5:11 p.m.

A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

[Subdivision (d)(1) of Section 54956.9 of the Government Code]

1. Name of Case: Adjudicatory proceedings pending before the State Water Resources Control Board regarding Permit 15878 issued on Application 22423 to the City of Solvang, Petitions for Change, and Related Protests
2. Name of Case: Central Coast Water Authority, et al. v. Santa Barbara County Flood Control and Water Conservation District, et al., Santa Barbara County Superior Court Case No. 21CV02432

B. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

[Subdivision (d)(2) of Section 54956.9 of the Government Code - Significant Exposure to Litigation - One Matter]

C. CONFERENCE INVOLVING A JOINT POWERS AGENCY

[Government Code section 54956.96]

Name of Agency: Central Coast Water Authority

Discussion will Concern: State Water Supply Contract Price and Term

Name of Local Agency Representative on Joint Powers Agency Board: Jeff Clay, Trustee

17. RECONVENE INTO OPEN SESSION:

[Sections 54957.1 and 54957.7 of the Government Code]

The public participation phone line was re-opened, and the Board reconvened to Open Session at approximately 6:48 p.m.

Mr. Garcia announced that the Board met in Closed Session concerning Agenda Items 16.A., 16.B., and 16.C., and that there was no reportable action from Closed Session.

18. ADJOURNMENT:

Being no further business, it was **MOVED** by Trustee Joos, seconded by Trustee Parker, and carried by a 5-0-0 voice vote to adjourn the meeting at 6:49 p.m.

THE OCTOBER 19, 2021 REGULAR MEETING MINUTES WERE APPROVED AT THE NOVEMBER 16, 2021 MEETING.